

are strict constructionists. Where are these people? They are hiding in the corner not doing their job. Look at what it says: The President “shall nominate, and by and with the Advice and Consent of the Senate, shall appoint . . . Judges of the supreme Court.” It doesn’t say: P.S., unless you don’t like who is President. It doesn’t say that.

So I say to everyone on the other side of the aisle who says they are strict constructionists—and most of them do—read the Constitution and read what Ronald Reagan said.

The American people have three words for Republicans: Do your job. Stop disrespecting the Constitution. Stop disrespecting our President and stop threatening to create a manmade crisis at the Supreme Court.

The Supreme Court has to do its job. This isn’t some ideological discussion in a salon somewhere, because every day the Court considers cases with profound impacts for the American people—like whether States can have voter identification laws that put an unfair burden on voters or whether the American people have the right to organize and fight for fair pay. I could go on, because almost every issue that American families face eventually winds its way to the Court. So regardless of your political position or your personal position on any individual case, we have to fill the vacancy because Americans deserve a full functioning Supreme Court.

In closing, I want to quote Sandra Day O’Connor. Now, here is a woman—the first woman on the Supreme Court, appointed by Ronald Reagan—who made history. She says this to us in the clearest of terms: “I think we need somebody there now to do the job, and let’s get on with it.” So if you don’t want to listen to the Constitution, and you don’t want to listen to Ronald Reagan, how about giving some respect to a woman who made history and understands how the Court functions. We have to get on with it.

Every one of us has to do our job. The Judiciary Committee should stop holding hearings to hurt women, and they should instead go down to the White House and advise and consent with the President on this nomination. They should stop playing politics. We should all come together. We see such division in the country. It is making a lot of our people afraid because there is no respect. How about we start off with respecting the Constitution and working together to fill this vacancy and showing the public that we can come together to have a fully functioning Supreme Court. The American people deserve nothing else.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. FLAKE). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CORNYN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

JUSTICE AGAINST SPONSORS OF TERRORISM ACT

Mr. CORNYN. Mr. President, I come to the floor to speak on two topics. The first is the piece of legislation that I introduced last year, along with the senior Senator from New York, Mr. SCHUMER, right after the anniversary of the September 11 attacks. This bill is entitled the “Justice Against Sponsors of Terrorism Act,” or JASTA for short. It makes minor adjustments to our laws that would clarify the ability of Americans attacked on U.S. soil to get justice from those who have sponsored that terrorist attack.

The Senate Judiciary Committee considered this bill last month and reported it to the floor without any objection, so now it is my hope that we can soon take up this legislation because this is important to the victims of the 9/11 attacks. Actually, that is an understatement. This bill, if signed into law, will hopefully help victims and their families achieve the closure that they so terribly need from this horrific tragedy. But this legislation is more than that. As our Nation confronts new and expanding terror networks that are targeting our citizens, stopping the funding source for terrorists grows even more important. So I hope Senators can work together to get this critical bipartisan bill done soon.

FILLING THE SUPREME COURT VACANCY

Mr. CORNYN. Mr. President, on another note, I come to the floor to make a few remarks about the Supreme Court vacancy left by the death of Justice Scalia.

It is pretty clear that our colleagues across the aisle do not believe that the American people deserve a voice in the process by which the successor to Justice Scalia is selected. We have made our position pretty clear that there will not be a new Justice confirmed until the American people, in the elections that come up in November, make their preferences known about who will make that appointment.

Instead of following the rule book of the minority leader, the senior Senator from New York, and our current Vice President—the ones that they advocated for under a Republican administration—our Democratic friends now argue that a lameduck President should be able to nominate someone to a lifetime appointment to our Nation’s highest Court, which will upset the ideological balance on that Court for a generation. As I have mentioned before, the last time a Supreme Court nominee was nominated and confirmed during an election year was 1932, and we have to go back much earlier, to 1888, to find a similar situation in divided government, which we have now.

When Vice President BIDEN was chairman of the Senate Judiciary Com-

mittee, he made perfectly clear that a Supreme Court nominee should not be considered until after a Presidential election has concluded. As we all know, both Democrats and Republicans are well down the road to making their selection for their nominee for President, and obviously we will have that election in the coming November. But our friends across the aisle continue to contradict themselves and their previous statements, insisting that this decision is somehow unprecedented. Well, we know it is not, because if the shoe were on the other foot, they have made clear what they would do.

I thought I might share with my friends across the aisle what so many of my constituents in Texas have told me about our decision to let them have a voice in the selection of the next lifetime appointment to the Court.

Killeen, TX, is the home of Fort Hood, one of the largest military installations in the world. Last Friday, the town decorated a memorial to honor those who lost their lives in the terrorist attack of 2009, when MAJ Nidal Hasan went on his violent rampage. But John from Killeen wrote:

President Obama is free to make any nomination he wants under the Constitution. The Senate, under the same Constitution, has no obligation to hold hearings on or confirm that nomination. The Judiciary Committee’s decision to observe the so-called Biden Rule is absolutely correct. The replacement for Justice Scalia should be nominated by the next president.

I agree with the letter writer, and the minority leader agreed with him in 2005 as well. That is basically what Senator REID said in 2005 during the Bush 43 administration. While the President could nominate anybody he wanted, the Senate was not obligated under the Constitution to vote on that nominee.

At the end of the letter, John asked me to “hold the line” on this decision. He, like many Americans, is passionate about having a say in the selection of the next Supreme Court nominee. I intend to do everything I can to make sure they do have that voice.

Another constituent from Plano—just north of Dallas—was emphatic that the Senate should “Give We The People a say.” I couldn’t agree with him more.

The American people made clear they wanted a check on the Obama administration in November of 2014 when they put Republicans in the majority of the Senate. Now we have an obligation to use that mandate from the people for issues that matter most to our country, and that includes the direction of the Supreme Court.

My constituents are right to care deeply about this because there is so much at stake. As I said, the next Supreme Court Justice could well change the balance of the Supreme Court for a generation and fundamentally reshape American society in the process. So the people should have a chance for input and should have a voice. I am proud to stand alongside my Republican colleagues and make sure their voice is